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Attorney for Plaintiff  
**BRIAN SETENCICH**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN SETENCICH,

Plaintiff,

vs.

THE AMERICAN RED CROSS, a non-profit  
corporation, STEVE BROWN, ROBERT  
BROWNING and DOES 1 through 30,  
inclusive,

Defendants.

CASE NO.: C 07-03688 JCS

**DECLARATION OF JILL P. TELFER IN  
SUPPORT OF MOTION TO COMPEL  
DEFENDANT STEVE BROWN TO  
FURTHER RESPOND TO PLAINTIFF'S  
REQUEST FOR ADMISSIONS, SET ONE**

Date: June 3, 2008

Time: 1:00 p.m.

Ctrm: 3

Judge: Hon. Saundra Brown Armstrong

**I, JILL P. TELFER DO DECLARE:**

1. I am an attorney licensed to practice before this Court. I represent plaintiff Brian Setencich ("Setencich") and have personal knowledge of the facts stated herein unless stated otherwise.

2. Setencich filed his complaint in San Francisco Superior Court on March 13, 2007. Defendant The American Red Cross ("ARC") removed the case to federal court on July 19, 2007.

3. My office served Defendant Steve Brown ("Brown") with Plaintiff's Amended Request for Admissions, Set One on February 19, 2008.

4. On March 12, 2008, ARC and Brown requested an extension to respond to the discovery until March 25, 2008, to respond to the outstanding discovery which I granted. On March

28, 2008, my office received Brown's Responses to Request for Admissions, Set One. A true and correct copy of each is attached the Index of Exhibits as Exhibit 2, respectively. Blanket objections were made and no documents were produced.

5. On March 27, 2008, I sent a letter to defense counsel informing her I had not received the outstanding discovery responses and documents by the agreed upon deadline and as a result all objections were waived. Attached to the Index of Exhibits as Exhibit 3 is a true and correct copy of the letter.

6. On March 31, 2008, I called defense counsel to meet and confer and determine when if any documents would be forthcoming.

7. On April 1, 2008, I sent a meet and confer letter to defense counsel detailing why the objections to the discovery were without merit and documents should be produced. A true and correct copy is attached to the Index of Exhibits as Exhibit 4.

8. On Friday April 4, 2008 at approximately 8 p.m. defense counsel faxed a response to my meet and confer efforts. A true and correct copy is attached to the Index of Exhibits as Exhibit 5.

9. On Monday, April 7, 2008, I again attempted to resolve the discovery dispute by sending another meet and confer letter. A true and correct copy is attached to the Index of Exhibits as Exhibit 6.

10. To date, Brown has not provided supplemental responses, nor has he filed a motion with the Court to be relieved of his inadvertence in failing to timely serve his responses to the subject discovery.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed under the laws of the State of California on April 25th, 2008 at Sacramento, California.



JILL P. TELFER

**PROOF OF SERVICE**

CASE: Setencich v. The American Red Cross, et al.  
COURT: USDC, Northern District, Oakland Division  
CASE NO. C 07-03688 SBA

I declare that I am a citizen of the United States, that I have attained the age of majority, and that I am not a party to this action. My business address is 331 J Street, Sacramento, CA 95814. I am familiar with this firm's practice of collection and processing of correspondence to be deposited for delivery via the U.S. Postal Service as well as other methods used for delivery of correspondence. On the below-stated date, in the manner indicated, I caused the foregoing document(s) entitled:

**TELFER DECLARATION IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES**

to be served on the party(ies) or their (its) attorney(s) of record in this action by:

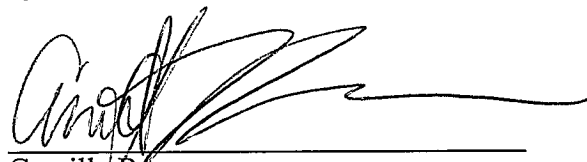
☐ Facsimile transmission to the number(s) noted below.

☒ Placing a true copy thereof in a sealed envelope with postage thereon fully prepaid in the designated area for outgoing mail and addressed as indicated below. Said documents will be deposited with the U.S. Postal Service at Sacramento, California on this date in the ordinary course of business. I understand that upon motion of a party served service shall be assumed invalid if the postal cancellation date or postage meter date on the envelope is more than one (1) day after the date of deposit for mailing as contained in this declaration.

☐ Hand-delivery addressed to:

**Sabrina L. Shadi, Esq.**  
**BAKER & HOSTETLER**  
**12100 Wilshire Boulevard, 15<sup>th</sup> Floor**  
**Los Angeles, California 90025-7120**  
**fax: (310) 820-8859**

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 25, 2008, in Sacramento, California.

  
\_\_\_\_\_  
Camille Rasmussen